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APR 28 2005

**DIRECTOR OFFICE
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In re Application of: Alexanian
Application No. 10/824,667
Filed: April 13, 2004
For: IRRIGATION CONTROLLER
WATER MANAGEMENT WITH
TEMPERATURE BUDGETING

)
) **DECISION ON PETITION TO MAKE**
) **SPECIAL UNDER M.P.E.P. § 708.02(V)**
) **& (VI): ENVIRONMENTAL**
) **QUALITY & ENERGY**
)

This is a decision on the petition, filed April 13, 2004, under 37 C.F.R. § 1.102(c) and M.P.E.P. § 708.02(V) & (VI): Environmental Quality & Energy, to make the above-identified application special.

The petition is **GRANTED**.

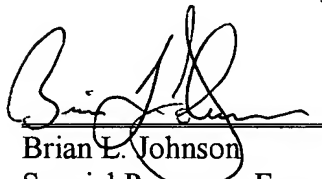
A grantable petition to make an application special under 37 C.F.R. § 1.102 and in accordance with M.P.E.P. § 708.02, Section V, for an invention which materially enhances the quality of the environment of mankind by contributing to the restoration or maintenance of the basic life-sustaining elements, i.e. air, water and soil, must be accompanied by affidavits or declarations under 37 C.F.R. § 1.102 by the applicant or his/her attorney or agent explaining how the invention contributes to the maintenance or restoration of one of these life sustaining elements. No fee is required for such a petition.

A grantable petition under 37 C.F.R. § 1.102(c), M.P.E.P. § 708.02, Section VI, must be accompanied by the showing that the application is for an invention which materially contributes to (A) the discovery or development of energy resources, or (B) the more efficient utilization and conservation of energy resources. Examples of inventions in category (A) would be developments in fossil fuels (natural gas, coal, and petroleum), hydrogen fuel technologies, nuclear energy, solar energy, etc. Category (B) would include inventions relating to the reduction of energy consumption in combustion systems, industrial equipments, household appliances, etc. A petition under M.P.E.P. § 708.02, Section VI, should be accompanied by verified statements under 37 C.F.R. § 1.102 by the applicant or assignee or statements by an attorney/agent registered to practice before the Patent and Trademark Office explaining how the invention materially contributes to category (A) or (B).

Applicant presents two grounds to make the application special: environmental quality will be enhanced; and energy savings will result. In support of the request, applicant explains in the petition and declaration how the claimed invention would meet these two goals.

The petition, accompanied by a declaration by George Alexanian, the inventor, describes that the claimed invention is directed to a method and apparatus for automatically modifying a preliminary irrigation schedule based upon the ambient temperature and extraterrestrial radiation of a particular irrigation schedule. First, declarant states that the present invention addresses the current problem of over-irrigation, thus conserving water. Second, as stated, such decreased use of water may also conserve energy. Finally, decreased irrigation water run-off potentially reduces the amount of pollution run off into lakes, rivers and streams.

In accordance with the petition as directed to M.P.E.P. § 708.02, Section V, the petition is **GRANTED**. The petition, as directed to M.P.E.P. § 708.02, Section VI, is hereby dismissed as moot.


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